

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

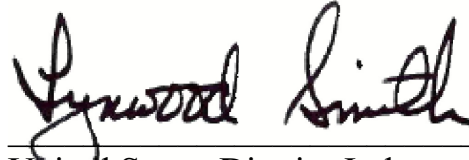
JERRY WAYNE BROOKS,)	
)	
Petitioner,)	
)	
vs.)	Case No. 5-08-cv-1212-CLS-TMP
)	
GRANT CULLIVER, Warden;)	
ATTORNEY GENERAL OF)	
THE STATE OF ALABAMA,)	
)	
Respondents.)	

ORDER

On February 13, 2009, the magistrate judge filed his report and recommendation in the above-styled cause, recommending that this petition for *habeas corpus* relief, filed pursuant to 28 U.S.C. § 2254, be dismissed with prejudice. Petitioner filed his objections to the report and recommendation on March 2, 2009.

Having now carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the petitioner's objections thereto, this court is of the opinion that the petitioner's objections are due to be, and they hereby are, OVERRULED. Accordingly, the magistrate judge's report is due to be, and it hereby is ADOPTED, and the recommendation is ACCEPTED. As such, the petition for writ of *habeas corpus* is due to be, and the same is DISMISSED with prejudice.

DONE and ORDERED this 27th day of March, 2009.

A handwritten signature in black ink, reading "Lynwood Smith". The signature is written in a cursive style with a large, looping initial "L".

United States District Judge